

May 15, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA

ex rel. BRADLEY D. KEEVER,

Relator-Plaintiffs,

v.

MISSION SUPPORT ALLIANCE, LLC;

HANFORD MISSION INTEGRATION

SERVICES, LLC; LEIDOS, INC;

LEIDOS INTEGRATED

TECHNOLOGY, LLC; CENTERRA

GROUP, LLC; PARSONS

GOVERNMENT SERVICES, INC;

LOCKHEED MARTIN CORPORATION;

LOCKHEED MARTIN SERVICES, INC;

WACKENHUT SERVICES, INC; and

JACOBS ENGINEERING GROUP, INC,

Defendants.

No. 4:21-CV-05156-SAB

**JURY TRIAL SCHEDULING
ORDER**

**JURY TRIAL SCHEDULED FOR
SEPTEMBER 22, 2025**

Plaintiff United States of America is represented by Frieda K. Zimmerman, Daniel H. Fruchter, Molly Smith, and Tyler H.L. Tornabene. Plaintiff-Relator is represented by Eric K. Lowney, Meredith A. Crafton, Molly Smith, and Nikolas F. Peterson. Defendant Hanford Mission Integration Services LLC is represented by

JURY TRIAL SCHEDULING ORDER # 1

1 Luke W. Meier, Shawn M. Wright, J. Chad Mitchell. Defendant Omar is
2 represented by Robert G. Schultz. The remaining Defendants have not yet
3 appeared.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. Upon review, the Scheduling Conference set for May 16, 2024 is
6 unnecessary and, therefore, **STRICKEN**.

7 **PROFESSIONALISM AND COURT-ASSISTED MEDIATION**

8 **1. Civility and Professional Conduct.** Counsel should review and
9 employ Local Rule 83.1 (Civility) and Washington Rule of Professional Conduct
10 3.4 (Fairness to Opposing Party and Counsel).

11 **2. Scheduling Order is Binding.** Rule 16(f) of the Federal Rules of
12 Civil Procedure provides for sanctions for failure to obey the Scheduling Order.
13 The Court will usually accept stipulations to modify the dates specified in this
14 Order, but modifications of pretrial deadlines may also result in a modification of
15 the trial date.

16 **3. Settlement Conference/Mediation.** The parties are encouraged to
17 engage in settlement negotiations as early as possible and should contact the Court
18 if they believe a settlement conference would be helpful. The Court will require
19 parties to engage in mediation prior to trial, unless good cause is shown that
20 mediation is not possible or will be unproductive.

21 **TRIAL DATES**

22 **4. Jury Trial.** The jury trial shall commence on **September 22, 2025**, at
23 **9:00 a.m.** in **Richland**, Washington. A final pretrial conference is set at **8:30 a.m.**
24 The trial is estimated to last four days.

25 **5. Pretrial Conference.** An in-person pretrial conference will be held on
26 **August 27, 2025**, at **11:00 a.m.** in **Yakima**, Washington.

27 //

28 //

DISCOVERY DEADLINES

6. **Initial Disclosures.** The parties shall provide their initial disclosures no later than **May 31, 2024**.

7. **Expert Disclosures.**

A. *Initial Expert Disclosures.* Each Party shall identify its experts and serve written reports as required by Rule 26(a)(2) on all other parties no later than **February 4, 2025**. Each Party shall also provide dates for which those experts can be available for deposition.

B. *Rebuttal Expert Disclosures.* Each Party shall identify its rebuttal experts and serve written reports as required by Rule 26(a)(2) on all other parties no later than **March 6, 2025**. Each Party shall also provide dates for which those experts can be available for deposition.

C. *Modifications.* The parties may modify the deadline for exchange of expert disclosures by joint stipulation filed with the court; a motion is not required.

8. **Discovery.**

A. *Discovery Limitations.*

i. *Depositions.* No more than ten depositions, each limited to seven hours in one day, may be taken by the plaintiffs, defendants, or third-party defendants without leave of the Court. Fed. R. Civ. P. 30(a)(2), (d)(1).

ii. *Interrogatories.* No party may serve more than twenty-five interrogatories, including discrete subparts, on any other party, without leave of the Court. Fed. R. Civ. P. 33(a)(1).

iii. *Requests for Production.* No party may serve more than thirty requests on any other party without leave of the Court.

B. *Discovery Deadline.* All discovery shall be completed on or before **May 5, 2025**.

C. *Responses.* To be timely, discovery requests must be served sufficiently in advance of the deadline to allow for timely response by the cutoff date.

1 D. *Necessity*. The parties shall file no discovery except as necessary to
2 support motions or objections.

3 E. *Discovery Conferences*. To avoid wasted time and expense, Counsel may
4 contact chambers to schedule a telephonic conference to obtain an expedited ruling
5 on discovery disputes. Prior to the conference, each party may submit to the Court
6 a one-page summary explaining the discovery dispute. The Court will schedule a
7 conference to occur within 2–3 days of the initial request. Absent very unusual
8 circumstances, the parties should not contact the Court during a deposition.
9 Instead, during a deposition, the parties should make an appropriate record for
10 review by the Court at a later time.

11 MOTION DEADLINES

12 9. **Motions to Amend Pleadings or Add Parties.** Any motion to amend
13 the pleadings or add named parties shall be filed and served by **February 24,**
14 **2025.**

15 10. ***Daubert* Motion Deadline.** Challenges to the admissibility of expert
16 opinion testimony shall be made by written motion and filed by **March 14, 2025.**
17 If the party challenging expert testimony anticipates that an evidentiary hearing
18 shall be required, the party shall so advise the Court and opposing counsel in
19 conjunction with the filing of its motions.

20 11. **Dispositive Motions.** All dispositive motions shall be filed and served
21 on or before **May 13, 2025.**

22 12. **Motions *in Limine*.**

23 A. *Motions in Limine*: shall be filed and served on or before **August 11,**
24 **2025.**

25 B. *Responses*: shall be filed and served on or before **August 18, 2025.**

26 C. *Replies*: shall be filed and served on or before **August 25, 2025.**

27 D. *Notation*: Motions *in limine* shall be noted for hearing at the pretrial
28 conference.

1 **TRIAL PREPARATION DEADLINES**

2 **13. Exhibit and Witness Lists.**

3 *A. Exhibit Lists and Witness Lists:* shall be filed and served and exhibits
4 made available for inspection (or copies provided), on or before **August 18, 2025.**

5 *B. Identification:* The witness list shall include identification of each
6 witness's testimony.

7 *C. Notation of Exhibits:* Where feasible, all exhibits identified in depositions
8 shall be pre-marked with the exhibit numbers that will be used at trial. Plaintiff's
9 trial exhibits are to be numbered 1 through 199; Defendant's exhibits are to be
10 numbered 200 and following.

11 *D. Objections:* Objections to the opposing party's witness list or exhibit list
12 and any accompanying briefs shall be filed and served on or before **August 25,**
13 **2025.**

14 *E. Responses:* Responses, if any, to objections shall be filed and served on or
15 before **September 1, 2025.**

16 **14. Pretrial Exhibit Stipulation.**

17 *A. Stipulation:* The parties shall prepare a pretrial exhibit stipulation that
18 shall contain each party's numbered list of all trial exhibits with the opposing
19 party's objections to each exhibit, including the basis of the objection and the
20 offering party's brief response. All exhibits to which there is no objection shall be
21 deemed admitted, subject to any objections at trial that could not be raised in
22 advance.

23 *B. Deadline:* The pretrial exhibit stipulation shall be filed on **September 2,**
24 **2025.**

25 *C. Objections to witness and exhibits* shall be heard at the pretrial
26 conference.

27 //

28 //

1 **15. Designation of Testimony.**

2 The parties shall notify the Court on or before **August 11, 2025** whether
3 deposition testimony will be used at trial. The Court will then schedule a hearing to
4 review all designated testimony and objections so that a final edited version of the
5 deposition testimony can be prepared for trial.

6 **16. Pretrial Order.**

7 A. *Deadline:* A joint Pretrial Order, prepared in accordance with the format
8 provided in Local Rule 16.1(b), shall be filed on or before **September 2, 2025** and
9 a copy e-mailed in Word format to the Court at
10 BastianOrders@waed.uscourts.gov.

11 B. *Consistency:* The list of exhibits contained in the joint Pretrial Order shall
12 reflect the exhibit marking scheme described above.

13 C. *Duplicative Exhibits:* In preparing the joint Pretrial Order, the parties
14 shall confer regarding duplicate exhibits and determine which party will submit
15 such exhibits for trial.

16 **17. Trial Briefs and Proposed Voir Dire.** Trial briefs and voir dire shall
17 be filed by **August 28, 2025**.

18 **18. Jury Instructions.** No later than **August 28, 2025**, the parties shall
19 file jointly proposed jury instructions.

20 A. *Confer.* The parties shall confer regarding jury instructions and file
21 jointly proposed jury instructions and a table of proposed Jury Instructions. The
22 jointly proposed Jury Instructions should address only issues that are unique to this
23 case and shall include instructions regarding the elements of each claim, any
24 necessary definitions, and a proposed verdict form.

25 B. *Modifications.* If any proposed instruction is a modified version of model
26 instructions or deviate from model instructions, the parties shall identify the
27 modification and cite legal authority for the modification.
28

19. Submissions on the First Day of Trial. The Court requires that the following be submitted to the courtroom deputy clerk on the first day of trial:

A. Exhibits. Exhibits for presentation at the trial in tabbed binders indexed by exhibit number with exhibit tags placed consistently on the bottom right corner of each exhibit. Counsel shall submit to the Court an original binder and two copied binders of their exhibits together with three discs or flash drives containing the same.

B. *Exhibit List.* One copy of a final joint exhibit list.

C. *Witness List*. One copy of witness lists in the order in which the witnesses are expected to be called to testify.

MODIFICATIONS

20. Good Cause. Pursuant to Rule 16 of the Federal Rules of Civil Procedure, this schedule shall not be modified unless the Court finds good cause to grant leave for modifications.

21. Motions to Continue Trial. The trial date set forth in this Order is firm, and all parties and their counsel must regard the date set for trial as certain. The Court may grant a continuance only on a showing of good cause requiring the continuance, and the Court does not guarantee its availability on any new date requested by counsel.

//

//

//

//

//

//

//

//

//

1 **22. Length of Memoranda.** The parties shall follow the page limit
2 requirements of Local Rule 7(f) for all motions and pleadings. Motions for leave to
3 exceed page limits are strongly disfavored and will be granted only in
4 extraordinary circumstances.

5 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
6 this Order and to provide copies to counsel.

7 **DATED** this 15th day of May 2024.



12
13

A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

14 Stanley A. Bastian
15 Chief United States District Judge
16
17
18
19
20
21
22
23
24
25
26
27
28